

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

FILED
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U.S. DISTRICT COURT
DISTRICT OF MASS.

TARA LEIGH PATRICK a/k/a CARMEN)
ELECTRA; CIELO JEAN "CJ" GIBSON;)
DENISE TRLICA a/k/a DENISE MILANI;)
JULIANNE KLAREN; RACHEL BERNSTEIN)
a/k/a RACHEL KOREN; ROSA ACOSTA;)
ABIGAIL RATCHFORD; KEELEY HAZELL;)
and KIMBERLEY "KIM" COZZENS,)
)
Plaintiffs,)
v.)
D. & B. CORP. and MARK FILTRANTI,)
)
Defendants.)
)

Civil Action No.: 1: 19-CV-11445-LTS

**PLAINTIFF'S INITIAL DISCLOSURE STATEMENT
PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 26(a)(1)**

Plaintiff hereby makes the following disclosures required by Federal Rule of Civil Procedure 26(a)(1).

These disclosures are based on information reasonably available to the plaintiff as of the date hereof. By making these disclosures, plaintiff does not represent that it is identifying every document, tangible thing, or witness possibly relevant to this lawsuit. Plaintiff expressly reserves the right to supplement or modify these disclosures as necessary and as permitted by Federal Rule of Civil Procedure 26(e).

A. Individuals Likely To Have Discoverable Information That Plaintiff May Use To Support Its Claims or Defenses

1: Peter F. Depesa
c/o Carlos A. Apostle, Esq.
Law Office of Robert L. Sheketoff
One McKinley Square
Boston, MA 02109
(857) 265-8100

Subjects of Information:

Mr. Depesa has knowledge relating to the day-to-day operation of the Squire Lounge and the Golden Banana Nightclub. Mr. Depesa also has knowledge of and access to the books and records of both nightclubs. Mr. Depesa also has knowledge relating to the social media posts of pages owned and operated by D&B Corp., in addition to knowledge relating to the marketing and promotional activities of both clubs.

2: Robert Depesa
The Golden Banana
151 Newbury St. Peabody, MA, 01960
(978) 536-9700

Subjects of Information

Robert Depesa is a manager at the Golden Banana and the Squire. Mr. Depesa likewise has general knowledge relating to the daily activity and operations of both clubs, and has knowledge of and access to the books of both clubs.

3: Kenny Bothello
The Squire Lounge
604 Squire Rd, Revere, MA, 02151
(781) 289-7000

Subjects of Information

Kenny Bothello is a manager at the Golden Banana and the Squire. Mr. Bothello likewise has general knowledge relating to the daily activity and operations of both clubs.

4: Chris Willis
The Squire Lounge
604 Squire Rd, Revere, MA, 02151
(781) 289-7000

Subjects of Information

Chris Willis is a social media director for the Golden Banana and the Squire. Mr. Willis has access to and direction over all D&B Corp. social media pages, as well as direct knowledge of all posts by those pages.

5: Tommy McNeely
(781) 953-0234

Subjects of Information

Tommy McNeely is a social media director for the Golden Banana and the Squire. Mr. Willis has access to and direction over all D&B Corp. social media pages, as well as direct knowledge of all posts by those pages

B. Documents In Defendants' Possession, Custody Or Control That It May Use To Support Its Claims Or Defenses

1. Receipts for the lawful purchase of images of Plaintiffs from third party vendors.
2. Electronic records of the posts and operation of official D&B Corp. social media accounts.
3. Electronic records relating to the views and exposure of alleged images of plaintiffs.

C. Computation Of Damages Claimed By Tara Leigh Patrick, Et Al.

At the present, as the alleged unlawful posts garnered a total of 170 'likes' across all platforms and under 1000 views, the Defendants would calculate the total of all damages for the alleged unlawful actions of the Defendants to be \$1,000.

D. Insurance Agreements – Availability of Insurance

D. & B. Corp. does maintain several insurance policies with the Eastern Insurance Group, including liability insurance. Information relating to these policies can be obtained from D. & B. Corp's insurance broker Michael Howlett, who can be reached at (978) 225-6328

D. & B. CORP, ET AL. By its attorney,



Carlos A. Apostle BBO# 698129
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Boston, MA 02109
(857) 265-8100
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CERTIFICATE OF SERVICE

I, Carlos A. Apostle, attorney for the Defendants, hereby certify that I have this day served a copy of the within **DEFENDANTS' INITIAL DISCLOSURE STATEMENT** upon the Plaintiffs, by certified mail upon counsel for the Plaintiffs as follows:

Paul V. Sullivan
86 Weybosset St. Suite 400
Providence, RI, 02903

John V. Golaszewski
1740 Broadway, 15th Fl
New York, NY, 10019

Signed under the pains and penalties of perjury this 10th day of January, 2020.


Carlos A. Apostle